

M. Kramer

1 King?

2 A. Mark Kramer and Robert  
3 Rickabaugh.

4 Q. What percentage of the shares of  
5 the stock do you own?

6 A. 50 percent.

7 Q. What percentage of the shares of  
8 stock does Mr. Rickabaugh own?

9 A. 50 percent.

10 Q. Did you put money into RMK when  
11 it started up?

12 A. I'm sure we did.

13 Q. I asked you if you did.

14 A. Yes.

15 Q. How much money did you put into  
16 it?

17 A. I don't remember. It was 1987.

18 Q. Do you draw a salary from RMK?

19 A. Did we, yes.

20 Q. What was your salary?

21 A. \$1,000 a week.

22 Q. Does RMK owe you any money?

23 A. I don't know how to answer that.

24 I'm liable for the balance of that debt. I

M. Kramel

1 A. Ever? Before there was a Miss  
2 Fonte there was a Florence Hadala.

3 Q. How do you spell that?

4 A. H-A-D-A-L-A.

5 MS. WALL: Is that her  
6 predecessor?

7 THE WITNESS: Yes. They were not  
8 there at the same time.

9 MR. ROSENTHAL: Okay.

10 BY MR. ROSENTHAL:

11 Q. What exactly did you do for RMK?

12 A. Well, a little bit of everything,  
13 estimate; supervise; work with tools,  
14 things all along those lines. It could be  
15 anything from day-to-day.

16 Q. If there were problems with  
17 employees, with, say, union problems or  
18 other kind of disciplinary problems, would  
19 that be something that you would handle?

20 A. I don't know what you mean by,  
21 "disciplinary problems."

22 Q. Who did the hiring?

23 A. It could be myself or my partner.

24 Q. What were Mr. Rickabaugh's

M. Kramer

1 operating?

2 A. Yes.

3 Q. How long before?

4 A. I'm not sure. We would have to  
5 look up the records.

6 Q. A year before?

7 A. No, I don't think so. You would  
8 have to, also, look up to find out when RMK  
9 was not operating.

10 Q. I believe, you said RMK ceased  
11 operations some time in the first half of  
12 1999?

13 A. As far as actually doing the  
14 work, but then the paperwork doesn't stop  
15 for quite awhile.

16 Q. So RMK actually did work some  
17 time into the beginning part of 1999; is  
18 that correct?

19 A. Yes.

20 Q. Was RM King operating at that  
21 point in time?

22 A. RM King, I believe, started  
23 working, also, in '99. I would have to  
24 look up the records and see which months.

M. Kramer

1 they do it in Philadelphia, they have a  
2 residential rate. At one point there was a  
3 third rate for local tenant fit-up work.

4 Frank Spencer, who was head of  
5 the residential local, said that we would  
6 use their rates to do tenant fit-up in the  
7 two or three county area where they really  
8 weren't doing it at the residential rate to  
9 do the tenant fit-up work. So this all  
10 took a couple of years to reach an  
11 agreement that that's what we're going to  
12 do.

13 It had to be clear cut that we  
14 weren't overlapping. We signed an  
15 agreement with them, so we don't have the  
16 same problems that we have in  
17 Philadelphia. In their jurisdictions they  
18 are using union men. RMK Construction was  
19 never signed with the carpenters in New  
20 Jersey. But RM King from its inception has  
21 been signed with the carpenters union in  
22 New Jersey.

23 This was the biggest reason not  
24 to overlap. Anything from that date we had

M. Kramer

1 to start with union people, a hundred  
2 percent union carpenters. They didn't care  
3 about the finishers.

4 Q. So RM King started operating once  
5 it signed that agreement with the New  
6 Jersey carpenters?

7 A. Right.

8 Q. So it didn't operate before that?

9 A. No.

10 Q. RMK had to finish whatever --

11 A. It finished up, yes.

12 Q. If we have the collective  
13 bargaining agreement with New Jersey, then  
14 that's the date that RM King began  
15 operating?

16 A. It would be close. Frank Spencer  
17 said we're going to do this job as union  
18 men.

19 Q. So whether the agreement was the  
20 day before, or a week after, or a week  
21 before obviously it would be close?

22 A. Yes.

23 Q. So at that point in time RMK  
24 stopped operating?

M. Kramer

1 A. Again, not exactly. We had to  
2 finish the work that was already started.

3 Q. And you finished it as RMK?

4 A. Yes.

5 Q. Now, at that point in time when  
6 you were still finishing work as RMK and  
7 then RM King was starting up who employed  
8 Miss Fonte, who was paying her wages?

9 A. Honestly I can't tell you what  
10 weeks RMK paid her and what weeks RM King  
11 paid her. I'm sure there are payroll  
12 records when RMK stopped and RM King  
13 stopped that you could see, but where RM  
14 King stopped is a little --

15 MS. WALL: You mean RMK?

16 MR. ROSENTHAL: You mean RMK?

17 THE WITNESS: RMK, I'm sorry.

18 BY MR. ROSENTHAL:

19 Q. Did she ever get paid by both  
20 companies?

21 A. No.

22 Q. So there's a distinct time period  
23 when she begins to be paid by RM King?

24 A. Yes.

M. Kramer

1 would that be you would be the  
2 representative of the company that they  
3 would deal with?

4 A. Yes.

5 Q. Was it you that would assign the  
6 carpenters to the various jobs? Who would  
7 make the job assignments that you could go  
8 here and you could go there?

9 A. Again, it would be a similar  
10 split. And Robert Rickabaugh would  
11 generally take care of sheet rockers and  
12 tapers for residential type work; and I  
13 would generally take care of guys more  
14 inclined to do the commercial type stuff,  
15 the metal studs, dry wall.

16 Q. It's all dry wall?

17 A. The commercial, there's more than  
18 just -- in the commercial end the metal  
19 studs somewhere in the past got tied in,  
20 so.

21 Q. Does RM King do this  
22 residential --

23 MS. WALL: I'm going to object.

24 Don't answer any questions about RM